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PETITION DECISION

In re Application of
Peter St Georges-Hyslop et al
Serial No.: 09/689,159
Filed: October 12, 2000
Attorney Docket No.: 1034/1F808-US7

This is in response to the petition under 37 CFR 1.181, filed August 19, 2004, for withdrawal of abandonment of the above identified application based on evidence that the reply was timely filed.

A review of the file history shows that the examiner mailed an Final Rejection to applicants on October 21, 2003, setting a three month shortened statutory period for reply. Applicants responded to the Final Rejection on March 15, 2004. An Advisory action was mailed by the examiner on April 14, 2004. Upon failure to receive a reply the Office mailed a Notice of Abandonment to applicants on August 10, 2004.

Applicants state that a Request for Continued Examination (RCE) was timely filed in response to the Advisory action. Applicants have supplied a copy of the RCE and request for extension of time with a copy of the check for the appropriate fees. Applicants have also supplied a copy of the express mail receipt dated April 21, 2004, a copy of the docket report with a signed statement from the docket clerk. In view of the evidence presented the Notice of Abandonment is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will then be forwarded to the examiner for further action.

The check has not been processed and as such the extension of time fee of \$530.00 and the RCE fee of \$770.00 will be charged to applicants deposit account 04-0100.

Should there be any questions about this decision please contact Jean F. Vollano by letter addressed to Director, TC 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0648 or by facsimile sent to the general Office facsimile number.

Jean F. Vollano for
Jasemine Chambers
Director, Technology Center 1600